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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,856	02/23/2004	Elio Marioni	7202-52	9431
30448	7590	04/04/2006	EXAMINER PRESTON, ERIK D	
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,856

Applicant(s)

MARIONI, ELIO

Examiner

Erik D. Preston

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6, 8-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-12, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper/No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Newly submitted claims 16-20 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claim 16 does not include the hub receiving the bearing with a pulley mounted thereon such as is required by claim 1, and claim 1 does not include the sleeve projecting outward from the end wall receiving a second bearing as included in claim 16

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 16-20 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Objections

Claim 1 is objected to because of the following informalities: In the last line of the claim, the phrase "...of the pulley connected..." lacks proper antecedent basis and, for examination purposes, will be interpreted as saying "...of a pulley connected..."

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1,2,5,6,8 & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsuka (JP 2003-047195 supplied by applicant) in view of Worst (US 3585822).

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With respect to claim 1, Nakatsuka teaches a synchronous electric motor for electrical appliances comprising: A central stator (Fig. 4, #36) fixedly mounted on an axis; a rotor (Fig. 4, #31) having permanent magnets (Fig. 4, #33), the rotor being outside the stator and rotatably supported and overhanging on said axis with at least one bearing (Fig. 4, #45) interposed; a pulley (Fig. 4, #46) rigidly rotatable with the rotor; wherein said rotor has an essentially cylindrical cup shape with an end wall provided with a hub receiving said bearing, wherein said pulley is mounted on said hub and is rotatably integral therewith; and the pulley has a predetermined number of grooves (in this case one), but it does not explicitly teach the grooves being positioned according to the position of grooves of a pulley connected with the rotary drum. However, Worst teaches a pulley (Fig. 1, #34a) having grooves positioned according to the position of grooves of a pulley (Fig. 1, #34) connected with a rotary drum (Fig. 1, #11). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the pulley system of Nakatsuka in view of the pulley arrangement as taught by Worst because it provides a well known and effective means for connecting a driving pulley to a driven pulley.

With respect to claim 2, Nakatsuka in view of Worst teaches the motor of claim 1, and Nakatsuka teaches that said hub is engaged in an end section of said pulley.

With respect to claim 5, Nakatsuka in view of Worst teaches the motor of claim 1, wherein said pulley has a predetermined number of grooves throughout its length.

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With respect to claim 6, Nakatsuka in view of Worst teaches the motor of claim 1, wherein said pulley is attached to said end wall by using fixing means (which inherently exist, or else the motor would not function as it is described).

With respect to claim 8, Nakatsuka in view of Worst teaches the motor of claim 1, but it does not explicitly teach that said pulley is removably integral with a free end of said hub. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the pulley removably integral with a free end of the hub since it has been held that making a one piece component into two separate pieces is not considered to be patentably distinct (In re Dulberg, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961)).

With respect to claim 9, Nakatsuka in view of Worst teaches the motor of claim 1, but it does not teach that the diameter of the pulley is essentially equal to the diameter of the rotor. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the pulley of Nakatsuka with a diameter essentially equal to the diameter of the rotor (such as is taught by (Stephens US 5878934)) since it has been held that a difference between the relative dimensions of a claimed device and a prior art device is not considered to be patentably distinct (In Gardner v. TEC Systems, Inc., 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984)).

Claims 3,10-12,14 & 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakatsuka (JP 2003-047195 supplied by applicant) in view of Worst (US 3585822) further in view of Stephens et al. (US 5878934 supplied by applicant).

With respect to claims 3 & 10, Nakatsuka in view of Worst teaches the motor of claim 1, but it does not specifically teach a drum being attached to said pulley or said pulley being rotatably mounted on a second pulley, However, washing machine drums were extremely well known at the time of the invention and Stephens teaches an end section of a pulley (the hub is engaged with a bearing at an end portion of the hub) and another end of said pulley rotatably mounted on an axis with an interposed relevant bearing (Fig. 6, #606). It would have been obvious to one of ordinary skill in the art at the time of the invention to attach a drum to the motor since it has been designed to drive an electrical appliance (Abstract) such as a washing machine, and all conventional washing machines inherently include a drum, and to also modify the pulley mounting assembly of Nakatsuka in view of the bearings as taught by Stephens because it provides an equivalent and well known means for mounting a pulley to the rotor of a permanent magnet electric motor, and it also would have been obvious to one of ordinary skill in the art at the time of the invention to include two bearings between the pulley and shaft of Nakatsuka since it has been held that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced (In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)).

With respect to claim 11, Nakatsuka in view of Worst in view of Stephens teaches the method of claim 10, wherein said pulley is attached to said end wall by a fixing means.

With respect to claim 12, Nakatsuka in view of Worst in view of Stephens teaches the method of claim 10, but it does not explicitly teach that said end wall is

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removably attached to said cylindrical casing. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the end wall removably attached with the cylindrical casing of the hub since it has been held that making a one piece component into two separate pieces is not considered to be patentably distinct (In re Dulberg, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961)).

With respect to claim 14, Nakatsuka in view of Worst in view of Stephens teaches the method of claim 10, but it does not teach that said pulley is removably integral with a free end of said hub. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the pulley removably integral with a free end of the hub since it has been held that making a one piece component into two separate pieces is not considered to be patentably distinct (In re Dulberg, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961)).

With respect to claim 15, Nakatsuka in view of Worst in view of Stephens teaches the method of claim 10, and Nakatsuka teaches that said pulley is integral with one end of the sleeve.

Response to Arguments

Applicant's arguments with respect to claims 1-3,5,6,8-12,14 & 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2205975 & US 4095922

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik D. Preston whose telephone number is (571)272-8393. The examiner can normally be reached on Monday through Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



03/27/2006



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